

ORDINANCE NO. 7104

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS: AMENDING THE MUNICIPAL CODE OF THE CITY OF AMARILLO, CHAPTER 4-3, SECTION 4-3-21 TO REPEAL THE 2003 EDITION OF THE *INTERNATIONAL MECHANICAL CODE* AND ADOPT THE 2006 EDITION OF SUCH CODE, REGULATING AND GOVERNING THE DESIGN, CONSTRUCTION, QUALITY OF MATERIALS, ERECTION, INSTALLATION, ALTERATION, REPAIR, LOCATION, RELOCATION, REPLACEMENT, ADDITION TO, USE OR MAINTENANCE OF MECHANICAL SYSTEMS; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CONTINUATION OF PRIOR LAW; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE.

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WHEREAS, upon the recommendation of the Construction Advisory and Appeals Board, the City Commission now finds that it is in the best interest of public safety, health, and welfare to repeal the 2003 edition of the *International Mechanical Code* and to adopt the 2006 edition of same, regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems; and, providing for the issuance of permits and collection of fees

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF AMARILLO, TEXAS:

SECTION 1. That the adoption of the 2003 edition of the *International Mechanical Code* is repealed and the 2006 edition is adopted, thus Chapter 4-3, Article II, Section 4-3-21 be and hereby is amended to read as follows:

**Sec. 4-3-21. Mechanical Code A adopted; amendments.**

(a) *Code adopted.* There is hereby adopted by reference as if fully set out herein the *International Mechanical Code*, ~~2003~~ 2006 edition, published by the International Code Council, ~~exclusive of its appendix chapters, with the following amendments, including Appendix A, copies of~~ which are on file in the office of the Building Official, with the following amendments:

(1)- (17) [DELETE THE EXISTING SUBSECTIONS (1) –(17) ENTIRELY]

(1) Section 101.1. Insert: **The City of Amarillo.**

(2) Section 106.5.2. Insert: Fees as provided in Chapter 4-1 of the Municipal Code of Ordinances.

(3) Section 106.5.3. Insert: “zero percent” and “fifty percent” in the respective blanks.

(4) Section 108.4.: Delete entirely (covered by general provisions in Code of Ordinances).

(5) Section 108.5. Amend the end of last sentence to read: “...liable for a fine as specified in the Amarillo Municipal Code of Ordinances.”

~~(b) Adoption of mechanical code appendix. Appendix A of the International Mechanical Code, 2003 Edition, published by the International Code Council, is hereby adopted as if fully set out herein.~~

SECTION 2. Severability. If any provision, section, subsection, sentence, clause or the application of same to any person or set of circumstances for any reason is held to be unconstitutional, void or invalid or for any reason unenforceable, the validity of the remaining portions of this ordinance or the application thereby shall remain in effect, it being the intent of the City Commission of the City of Amarillo, Texas in adopting this ordinance, that no portion thereof or provision contained herein shall become inoperative or fail by any reasons of unconstitutionality of any other portion or provision.

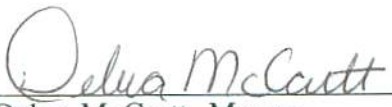
SECTION 3. Repealer. All ordinances, parts of ordinances resolutions and parts of resolutions in conflict with this ordinance are hereby repealed to the extent of conflict with this ordinance.

SECTION 4. Continuation. That nothing in this ordinance or in any code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed by this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

SECTION 5. Penalty. It is an offense to violate any part of this ordinance, punishable upon conviction in accordance with Section 1-1-5 of the Amarillo Municipal Code of Ordinances.

SECTION 6. Publishing and Effective Date. This ordinance shall be published according to law and be effective on June 15, 2008.

INTRODUCED AND PASSED by the City Commission of the City of Amarillo, Texas, on First Reading this the 13<sup>th</sup> day of May, 2008; and PASSED on Second and Final Reading the 20<sup>th</sup> day of May, 2008.

  
Debra McCartt, Mayor

ATTEST:

  
Donna DeRight, City Secretary